

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**OCWEN LOAN SERVICING, LLC,**

**Plaintiff,**

**v.**

**JANET HUDSON-JONES and  
JPMORGAN CHASE BANK,  
NATIONAL ASSOCIATION,**

**Defendants.**

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**Civil Action No. 4:18-cv-2463**

**MOTION FOR DEFAULT JUDGMENT AGAINST  
DEFENDANT JPMORGAN CHASE BANK, NATIONAL ASSOCIATION**

Plaintiff Ocwen Loan Servicing, LLC (“Plaintiff” or “Ocwen”) files this its *Motion for Default Judgment Against Defendant JPMorgan Chase Bank, National Association* and respectfully shows as follows:

**I.**

1. Plaintiff is Ocwen. Defendants are Janet Hudson-Jones and JPMorgan Chase Bank, National Association (“Defendants”).

2. Plaintiff filed its Original Complaint against Defendants on July 17, 2018. (ECF Document No. 1.)

3. Defendant JPMorgan Chase Bank, National Association (“JPMorgan”) was served with a copy of the Original Complaint via personal service on July 31, 2018. (*See* ECF Document No. 8).

4. JPMorgan’s answer or other response to the Original Complaint was due on or before August 21, 2018. FED. R. CIV. P. 12(a)(1)(A)(i).

5. JPMorgan has not answered or otherwise appeared in this action.

6. The court clerk may enter default against a party who has not filed a responsive pleading or otherwise defended a suit. FED. R. CIV. P. 55(a); *N.Y. Life Ins. Co. v. Brown*, 84 F.3d 137, 141 (5<sup>th</sup> Cir. 1996).

7. Ocwen has requested that the Clerk of this Court enter default against JPMorgan because it did not file responsive pleadings within 21 days after service of the Original Complaint. *See* FED. R. CIV. P. 12(a)(1)(A)(i). JPMorgan has not otherwise attempted to defend against the Original Complaint. *See* FED. R. CIV. P. 55.

8. Ocwen meets the requirements for obtaining an entry of default from the clerk as demonstrated by the Declaration of Mark D. Cronenwett attached hereto as Exhibit A and incorporated by reference for all purposes.

9. Defendant JPMorgan is not on active duty military status. *See* Exhibit A.

10. Ocwen is entitled to an entry of default as to JPMorgan because it did not answer or otherwise defend the Original Complaint.

11. Ocwen is filing its *Plaintiff's Request for Clerk's Entry of Default as to Defendant JPMorgan Chase Bank, National Association* concurrently with this motion.

12. Ocwen now asks the Court to render default judgment against Defendant JPMorgan.

## II.

13. The Court should render a default judgment against Defendant JPMorgan because it did not file responsive pleadings or otherwise defend the claims against it. Such default constitutes an admission by Defendant of all allegations in Plaintiff's Original Complaint. Thus, Ocwen is entitled to a default judgment on liability and damages. With regard to the issue of damages, Ocwen does not seek monetary damages against Defendant JPMorgan, but instead

seeks a declaratory judgment that JPMorgan's lien on the subject real property located at 709 Luella Avenue, Deer Park, Texas 77536 is released and extinguished. Therefore, no hearing is necessary to establish the amount of Ocwen's damages.

WHEREFORE, PREMISES CONSIDERED, Ocwen prays that this Court enter a default judgment against Defendant JPMorgan on all claims against it in Ocwen's Original Complaint, and award Ocwen the following relief:

1. a declaratory judgment that Defendant JPMorgan's lien on the Property, pursuant to a deed of trust filed in the real property records of Harris County, Texas under Document No. P272629, is released and extinguished; and
2. any other relief to which the Court deems Ocwen is entitled.

Respectfully submitted,

By: /s/ Mark D. Cronenwett  
**MARK D. CRONENWETT**  
Attorney-in-Charge  
Texas Bar No. 00787303  
Southern District Bar No. 21340  
mcronenwett@mwzmlaw.com

**ROBERT T. LIEBER JR.**  
Southern District No. 3173121  
rlieber@mwzmlaw.com

**MACKIE WOLF ZIENTZ & MANN, P.C.**  
14160 N. Dallas Parkway, Suite 900  
Dallas, Texas 75254  
214-635-2650 (Phone)  
214-635-2686 (Fax)  
*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I do hereby certify that I have caused a copy of the foregoing to be delivered to the following as indicated below on September 12, 2018.

**Via regular US Mail**

Janet Hudson-Jones  
709 Luella Avenue  
Deer Park, Texas 77536

**Via regular US Mail**

JPMorgan Chase Bank, National Association  
c/o CT Corporation System  
4400 Easton Commons Way  
Columbus, OH 43219

/s/ Mark D. Cronenwett  
**MARK D. CRONENWETT**